

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:08CR266
)	
v.)	
)	
GABRIEL CHAPARRO,)	FINAL ORDER OF
)	FORFEITURE
Defendant.)	
)	

This matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 71). The Court has reviewed the record in this case and finds as follows:

1. On November 5, 2009, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Section 843 and 853, Title 26, United States Code, Sections 5481, 5861(d) and 5871, Title 18, United States Code, Sections 922(g)(3), 924(d) and Title 28, United States Code, 2461(c), 5872, based upon the defendant's plea of guilty to Counts I, IV, V, VII, VIII, IX, X and XI of the Superseding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in the .410 Savage shotgun, Model: Hiawatha; the Intrac Arms International semi-automatic assault rifle, Model: N59/66, caliber 7.62x39, serial number —472775; the Ruger .357 caliber revolver, Model GP100, serial number 170-27634; the Mossberg 12 gauge short shotgun, Model 500A, serial number P584021; and the Sears Model 200, 20 gauge shotgun, serial number 116312, \$22,455.00 in United States currency seized from 6819 B Plaza, Apt. 96, on July 14, 2008; \$370.00 in United States currency seized from Enrique Hurtado on July 15, 2008; \$1,022.00 in United States currency seized from Juan

Orozco on July 15, 2008; \$4,372.00 in United States currency seized from 1924 South 17 Street on July 14, 2008, was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official Government internet site (www.forfeiture.gov) for at least thirty consecutive days, beginning on December 29, 2009, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims. A Declaration of Publication was filed herein on March 26, 2010 (Filing No. 70).

3. On January 7, 2010, the Bureau of Alcohol, Tobacco, Firearms and Explosives informed the United States Attorney's Office the the Mossberg 12 gauge short shotgun, Model 500A, serial number P584021 will be forfeited administratively. Consequently, the United States cannot proceed further with this forfeiture action.

4. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

5. Plaintiff's Motion for Final Order of Forfeiture should be sustained. Accordingly,

IT IS ORDERED:

- A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.
- B. All right, title and interest in and to the the .410 Savage shotgun, Model: Hiawatha; the Intrac Arms International semi-automatic assault rifle, Model: N59/66, caliber 7.62x39, serial number —472775; the Ruger .357 caliber revolver, Model GP100, serial number 170-27634; and the Sears Model 200, 20 gauge shotgun, serial number 116312, \$22,455.00 in United States currency seized from 6819 B Plaza, Apt. 96, on July 14, 2008; \$370.00 in United States currency seized from Enrique Hurtado on July 15, 2008; \$1,022.00 in United States

currency seized from Juan Orozco on July 15, 2008; \$4,372.00 in United States currency seized from 1924 South 17 Street on July 14, 2008, held by any person or entity, is hereby forever barred and foreclosed.

C. The .410 Savage shotgun, Model: Hiawatha; the Intrac Arms International semi-automatic assault rifle, Model: N59/66, caliber 7.62x39, serial number —472775; the Ruger .357 caliber revolver, Model GP100, serial number 170-27634; and the Sears Model 200, 20 gauge shotgun, serial number 116312, \$22,455.00 in United States currency seized from 6819 B Plaza, Apt. 96, on July 14, 2008; \$370.00 in United States currency seized from Enrique Hurtado on July 15, 2008; \$1,022.00 in United States currency seized from Juan Orozco on July 15, 2008; \$4,372.00 in United States currency seized from 1924 South 17 Street on July 14, 2008, be, and the same hereby are, forfeited to the United States of America .

D. The Mossberg 12 gauge short shotgun, Model 500A, serial number P584021 is dismissed from the forfeiture count.

E. The United States Bureau of Alcohol, Tobacco, Firearms and Explosives for the District of Nebraska is directed to dispose of said properties in accordance with law.

DATED this 8th day of April, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court